

To: "Nawi, David" [David_Nawi@ios.doi.gov]
Cc: "Monroe, James" [James.Monroe@sol.doi.gov]; Allen, Kaylee" [Kaylee.Allen@sol.doi.gov]; eanna.Harwood@noaa.gov[]
Bcc: []
From: CN=Tom Hagler/OU=R9/O=USEPA/C=US
Sent: Thur 12/22/2011 8:23:25 PM
Subject: BDCP language in federal appropriation bill
pcConferenceDivB-BillOCR.PDF

I heard about this (attached below) almost simultaneously from our HQs and from Chris Stevens at DSC. Section 205 of the attached bill(at approximately page 34) deals with the BDCP. It seems to impose the state's "co-equal goals" language on the federal agencies, and mandates a completed BDCP EIS by 02/15/2013. It also, at the end of the section, says that "Nothing herein modifies existing requirements of Federal law."

Our HQs is acting like this bill has passed, so I don't think it's tied up in the bigger fight over payroll taxes.

But I have no idea what this means for our agencies.

We should probably talk about this at some point. Obviously, someone, somewhere cared enough about this language to stick it into the legislation. So we should try and figure out what it means.

I'm in and out during the next week. Have a nice holiday!

p.s.- I have seen multiple versions of this act. Some have the BDCP language as section 205, some as section 206. When I find the final final as-enrolled language, I'll bounce that on.

Tom Hagler
Assistant Regional Counsel
U.S. Environmental Protection Agency
Region 9
75 Hawthorne Street, RC-2
San Francisco, California 94105-3901
Phone: (415) 972-3945
Email: hagler.tom@epamail.epa.gov

-